

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14672 of the Russian Orthodox Cathedral of Saint John the Baptist, pursuant to 11 DCMR 3107.2 of the Zoning Regulations, for a variance from the rear yard requirements of Sub-section 404.1 for a proposed covered walkway between an existing church and church hall in an R-1-A District at premises 4001 - 17th Street, N.W., (Square 2635, Lots 4 and 800).

HEARING DATE: September 9, 1987  
DECISION DATE: September 9, 1987 (Bench Decision)

FINDINGS OF FACT:

1. The site, known as premises 4001 17th Street, N.W., is located at the northeast corner of the intersection of 17th Street, and Shepherd Streets. The site is located in an R-1-A District.
2. The R-1-A District extends to the west of the site. An R-1-B District is located to the east and north of the site. These areas are developed primarily with single-family dwellings. An R-5-C District improved with a large apartment complex is located to the south of the site.
3. The site is irregularly shaped and comprises 18,209.50 square feet. A 15 foot wide public alley is located to the north of the site. The site is improved with a brick church and separate church hall occupying a total of 5021.00 square feet of lot area.
4. Pursuant to Sub-section 3107.2 of the Zoning Regulation's, the applicant is seeking a variance from the rear yard requirements of Sub-section 404.1 to allow the construction of a covered walkway between the existing church and church hall.
5. The walkway will occupy 496 square feet and is intended to provide shelter to church members circulating from one building to the other. Because of this connection the two buildings technically must be considered one building which does not meet the rear yard requirements. The existing church hall is located 8.22 feet from the rear lot line. The proposed addition itself will be located more than 25 feet from the rear lot line.
6. Advisory Neighborhood Commission 4A filed no

report on the application.

7. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking an area variance, the granting of which requires that the applicants have met the burden of proof established in Sub-section 3107.2 of the Zoning Regulation's. Sub-section 404.1 of the Zoning Regulation's requires that a rear yard of 25 feet be provided for structures in the R-1-A District. The church will provide a rear yard of 8.22 feet necessitating a variance of 16.78 feet or 67.12 percent.

The Board concludes that the applicant has met the burden of proof. The site is affected by conditions which result in a practical difficulty upon the owner. The construction of the walkway connecting the existing church to the existing church hall will cause the two structures to be considered as one structure which will not meet the required rear yard setback. The Board notes that the proposed addition itself will be setback more than 25 feet from the rear lot line and that the existing church hall is currently 8.22 feet from the rear lot line. The addition will not cause the structure to be located closer to the rear lot line than it now is.

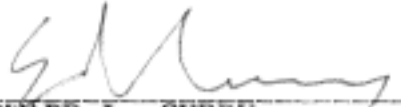
The Board further concludes that granting the proposed relief will not cause substantial detriment to the public good and will not substantially impair the intent, purpose and integrity of the zone plan.

Accordingly, it is hereby ORDERED that the application is GRANTED SUBJECT to the CONDITION that construction shall be in accordance with the plans marked as Exhibit No. 8 of the record.

VOTE: 4-0 (William F. McIntosh, Paula L. Jewell, Charles R. Norris and Carrie L. Thornhill to grant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Acting Executive Director

FINAL DATE OF ORDER: SEP 23 1987

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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